

REMARKS

Reconsideration of the application in light of the amendments and the following remarks is respectfully requested.

Status of the Claims

Claims 1, 3-12, and 14-21 are pending.

Claims 2 and 13 were cancelled in a previous response.

Claim 1 has been amended. The amendments to claim 1 were made to place the claim in better idiomatic English, were not made for reasons of patentability, and do not narrow the scope of the subject matter recited therein.

No new matter has been added.

Rejection under 35 U.S.C. §102

Claims 1, 3-4, 7, 9-12, 14-16, 19, and 21 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,757,723 to O'Toole et al. ("O'Toole") Applicants respectfully traverse the rejection.

The Examiner contends that O'Toole discloses a self-organizing distributed appliance (SODA) 18, which is configured with a global unique identifier such as a MAC address of the Ethernet card located in the appliance 18, to efficiently distribute large data items, such as high bandwidth media content, over a network 14. *See*, O'Toole, col. 3, lines 49-61; col. 4, lines 17-39; and Figure 1. Further, the Examiner contends that O'Toole discloses all of the elements of the

claimed invention, including “activating an access button.” *See*, Office Action dated September 18, 2006, page 3.

Applicants submit that O’Toole fails to disclose the activation of an access button to transmit identifier information about the appliance, as recited in independent claim 1 and similarly recited in independent claims 10-12. In contrast, O’Toole merely discloses that the appliance 18 may have “buttons which can also be used to set some parameters within the appliance.” (O’Toole, col. 4, lines 47-48.) However, Applicants submit that O’Toole teaches and suggest that the buttons are not used during the ordinary use of O’Toole’s invention. O’Toole clearly states that:

The appliance ... may also have buttons that can also be used to set some parameters within the appliance, but one purpose of the present invention is to enable the appliance to operate without a person necessarily having to do any programming of it or substantial system program administration.

O’Toole, column 4, lines 44-51, *emphasis added*. Thus, O’Toole’s buttons are not “activated” because the heart of O’Toole’s invention is for a user not to have to do anything to or for the appliance save connecting it to the network and powering it up.

Furthermore, Applicants submit that O’Toole neither discloses, nor suggests, that the buttons on the appliance 18 are “activated” so as to “issue a send instruction for transmitting identifier information,” as recited in independent claims 1 and 10-12. Rather, the appliance 18 automatically initiates its boot algorithm when connected to the local-area network. *See*, O’Toole, col. 6, lines 37-65; col. 7, lines 28-32. In addition, O’Toole merely discloses a button which causes information to be sent or updated in the context of updating the database via a graphical user interface in a web browser. *See*, O’Toole, col. 26, lines 3-15. Thus in O’Toole, neither the buttons on the appliance 18, nor the buttons on a graphical user interface in a web browser, transmit any identifier information to a server, as recited in the present claims.

In addition, Applicants submit that O'Toole fails to disclose or suggest "sending the identifier information . . . in response to the send instruction," as recited in claims 1 and 10-12. In contrast, O'Toole's device automatically initiates sending of its global unique identifier once it is plugged into the network. *See*, O'Toole, col. 6, lines 37-65. In O'Toole, the appliance 18 does not receive a send instruction, and therefore cannot send identifier information in response to the send instruction.

As demonstrated above, Applicants submit that O'Toole neither discloses, nor suggests, the activating step and sending step recited in independent claims 1 and 10-12. Thus, O'Toole fails to disclose each and every feature recited in claims 1 and 10-12. Therefore, Applicants submit that O'Toole does not anticipate the invention recited in claims 1 and 10-12.

Claims 3-4, 7, and 9 depend from claim 1. Claims 14-16 and 21 depend from claim 11. Claim 19 depends from claim 12. Applicants submit that claims 3-4, 7, 9, 14-16, 19, and 21 are patentable for at least the same reasons as discussed above with respect to their respective base claim. Applicants respectfully request reconsideration and withdrawal of the rejection.

Rejection under 35 U.S.C. §103

Claims 5-6, 8, 17-18, and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over O'Toole in view of U.S. Patent No. 5,875,430 to Koether. Applicants respectfully traverse the rejection.

The Examiner contends that O'Toole discloses most of the claimed invention, but acknowledges that O'Toole fails to disclose receiving information regarding an item to request repair work. However, the Examiner relies on Koether as disclosing a system for managing kitchen

appliances 110 having a control center 170 and base stations 150 which monitor the status of the appliances 110. The Examiner contends that it would have been obvious to one of ordinary skill in the art at the time of the invention to combine O'Toole and Wood to achieve the claimed invention.

Claims 5, 6, and 8 depend from claim 1, and recite features in addition to those set forth in claim 1. Claims 17, 18, and 20 depend from claim 12, and recite features in addition to those set forth in claim 12. Applicants submit that Koether fails to disclose the features of activating a button and transmitting identifier information demonstrated to be missing from O'Toole, as discussed above with respect to claims 1 and 12. Therefore, the combination of O'Toole and Koether fail to disclose each and every feature in claims 5, 6, 8, 17, 18, and 20.

Thus, Applicants submit that claims 5, 6, 8, 17, 18, and 20 are patentable over the combination of O'Toole and Koether. Applicants submit that the Examiner has failed to meet the burden of establishing a *prima facie* case of obviousness over claims 5, 6, 8, 17, 18, and 20. Applicants respectfully request reconsideration and withdrawal of the rejection.

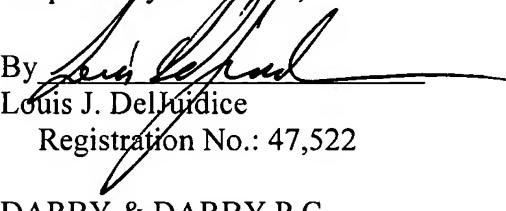
CONCLUSION

Each and every point raised in the Final Office Action dated September 18, 2006 has been addressed on the basis of the above amendments and remarks. In view of the foregoing it is believed that claims 1, 3-12, and 14-21 are in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

By 
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